

## **Remarks**

### **Amendments**

Claims 44 and 85-90 have been cancelled to expedite allowance of the application. Applicants do not concede the correctness of the rejection of these claims and retain the right to pursue the cancelled subject matter in continuation applications.

Claim 45 has been amended to render it independent.

New claims 91-98 are supported at paragraphs [48] and [55]. These recite different detection techniques for determining a sequence feature.

### **35 U.S.C. § 112, second paragraph**

Claim 45 has been amended to correct the missing word. The claim is clear as amended.

### **35 U.S.C. § 103(a)**

Claims 44 and 85-90 stand newly rejected as unpatentable over Leamon (US 7323305) in view of Vogelstein (PNAS 96: 9236-9241, 1999). While not conceding the obviousness of these claims or the propriety of Leamon as prior art with respect to the claimed invention, applicants have cancelled these claims, rendering the rejection moot.

A speedy allowance of all claims is respectfully requested.

Applicants remind the examiner of the co-pending child application 12/361,690. It is currently under final rejection. Applicants invite the examiner to review the issues raised in the child application for appropriateness to the subject claims. Applicants invite the examiner to consider any other issues that may arise with a child application, including but not limited to double patenting.

Respectfully submitted,

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